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## LEGISLATIVE HISTORY

Public Law 100-81st Congress

## Chapter 196--1st Session

S. 314

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REMOUNT STATION. S. 341 authorizes the transfer of a small tract of land in the Robinson Remount Station to Crawford, Nebraska.

INDEX AND SUMMARY OF HISTORY ON S. 314

January 10, 1949      S. 314 was introduced by Senator Butler and was referred to the Senate Committee on Agriculture and Forestry. Print of the bill as introduced.

                            H. R. 1242 was introduced by Rep. Miller and was referred to the House Committee on Agriculture. Print of the bill as introduced.

March 8, 1949      Senate Committee reported S. 314 without amendment. Senate Report 98. Print of the bill as reported.

March 18, 1949      S. 314 was discussed in the Senate and passed over on objection.

April 11, 1949      S. 314 was discussed in the Senate and passed over.

May 11, 1949      Hearings: House, H. R. 3003, 3022, 1242 and S. 969.

May 19, 1949      House Committee reported H. R. 1242 with amendments. House Report 632. Print of the bill as reported.

May 23, 1949      Senate debated and passed S. 314 with amendments.

June 6, 1949      House discussed and passed S. 314 without amendments.

June 13, 1949      Approved. Public Law 100.







81<sup>ST</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 314**

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IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1949

Mr. BUTLER (for himself and Mr. WHERRY) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

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**A BILL**

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is hereby authorized to  
4       transfer by quitclaim deed to the city of Crawford, Nebraska,  
5       the following-described tract of land lying within the Robin-  
6       son Remount Station, Fort Robinson, Dawes County, Ne-  
7       braska: Beginning at the northwest corner of the tract of  
8       land conveyed to the city of Crawford for public-park pur-  
9       poses by the Act of Congress approved June 25, 1906 (34

1 Stat. 461); thence west along the north line of the said  
2 station a distance of one thousand one hundred and seventy-  
3 five feet; thence south three hundred and six feet; thence  
4 south twenty-seven degrees fifty-two minutes east to the  
5 westerly boundary line of the present park, the point of inter-  
6 section being approximately two thousand six hundred and  
7 fifteen feet south of the starting point; thence north two  
8 thousand six hundred and fifteen feet to point of beginning,  
9 containing an area of approximately forty-three and fifty-  
10 seven one-hundredths acres.

11 SEC. 2. Said Secretary is hereby authorized to grant to  
12 the city of Crawford, Nebraska, a permanent easement across  
13 the lands of the United States comprising the Robinson Re-  
14 mount Station, Fort Robinson, Dawes County, Nebraska, for  
15 a pipe line to carry water from the White River to the filters  
16 and purification plants of the city, which easement shall  
17 include all rights and privileges now enjoyed by the city  
18 under a revokable license to maintain such pipe line across  
19 such lands of the United States.

20 SEC. 3. The tract of land authorized to be transferred  
21 by the first section of this Act shall be used by the grantee  
22 for purposes of a public park and recreational site or golf  
23 course or for similar and related purposes. If the grantee

- 1 shall fail or cease to use such tract for such purposes, or shall
- 2 alienate or attempt to alienate such lands, title thereto shall
- 3 revert to the United States.

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**A BILL**

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

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By Mr. BUTLER and Mr. WHERRY

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JANUARY 10, 1949

Read twice and referred to the Committee on Agriculture and Forestry

81<sup>ST</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 1242**

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**IN THE HOUSE OF REPRESENTATIVES**

**JANUARY 10, 1949**

Mr. MILLER of Nebraska introduced the following bill; which was referred to the Committee on Agriculture

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**A BILL**

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

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2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is hereby authorized to  
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8       land conveyed to the city of Crawford for public-park pur-  
9       poses by the Act of Congress approved June 25, 1906 (34  
10      Stat. 461); thence west along the north line of the said

1 station a distance of one thousand one hundred and seventy-  
2 five feet; thence south three hundred and six feet; thence  
3 south twenty-seven degrees fifty-two minutes east to the  
4 westerly boundary line of the present park, the point of  
5 intersection being approximately two thousand six hundred  
6 and fifteen feet south of the starting point; thence north two  
7 thousand six hundred and fifteen feet to point of beginning,  
8 containing an area of approximately forty-three and fifty-  
9 seven one-hundredths acres.

10 SEC. 2. Said Secretary is hereby authorized to grant to  
11 the city of Crawford, Nebraska, a permanent easement  
12 across the lands of the United States comprising the Robin-  
13 son Remount Station, Fort Robinson, Dawes County,  
14 Nebraska, for a pipe line to carry water from the White  
15 River to the filters and purification plants of the city, which  
16 easement shall include all rights and privileges now enjoyed  
17 by the city under a revokable license to maintain such pipe  
18 line across such lands of the United States.

19 SEC. 3. The tract of land authorized to be transferred  
20 by the first section of this Act shall be used by the grantee  
21 for purposes of a public park and recreational site or golf  
22 course or for similar and related purposes. If the grantee  
23 shall fail or cease to use such tract for such purposes, or  
24 shall alienate or attempt to alienate such lands, title thereto  
25 shall revert to the United States.



81<sup>ST</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 1242**

**A BILL**

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

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By Mr. MILLER of Nebraska

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JANUARY 10, 1949

Referred to the Committee on Agriculture





# Calendar No. 81

81ST CONGRESS }  
1st Session }

SENATE

{

REPORT  
No. 98

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## AUTHORIZING THE TRANSFER OF A CERTAIN TRACT OF LAND IN THE ROBINSON REMOUNT STATION TO THE CITY OF CRAWFORD, NEBR.

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MARCH 8 (legislature day, FEBRUARY 21), 1949.—Ordered to be printed

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Mr. THOMAS of Oklahoma, from the Committee on Agriculture and Forestry, submitted the following

### REPORT

[To accompany S. 314]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes, having considered same report thereon with the recommendation that it do pass without amendments.

A letter dated February 23, 1949, from the Secretary of Agriculture, Mr. Charles F. Brannan, together with a statement from the author of the bill, Senator Butler, is attached hereto and made a part of said report.

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DEPARTMENT OF AGRICULTURE,  
Washington, February 23, 1949.

Hon. ELMER THOMAS,  
Chairman, Committee on Agriculture and Forestry,  
United States Senate.

DEAR SENATOR THOMAS: This is in reply to your request of January 15, 1949, for a report on S. 314, a bill "authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes."

The bill would transfer approximately 43.57 acres of land to the city of Crawford, Nebr., and also grant a permanent easement across the reservation for a pipe line to carry water from the White River to the filter and purification plants of the city.

This Department recommends that the bill be passed.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN,  
Secretary.

## STATEMENT BY SENATOR HUGH BUTLER ON S. 314

MARCH 4, 1949.

Mr. Chairman, this bill, S. 314, would simply authorize transfer of a small tract of land at the Robinson Remount Station in my State by the Department of Agriculture to the city of Crawford for public park purposes. It would also authorize the grant of an easement for the city pipe line which crosses the Government reservation.

Both the tract of land, amounting to 43 acres, and the easement are now being held and used by the city under revocable licenses which were issued some years back. In the case of the land, the city has improved the property by laying water mains, planting trees, building streets, etc. In addition, access to a new city stadium crosses the land in question. As far as the easement is concerned, this covers the main pipe line for the city's water supply. As the city attorney says: "The pipe line is our lifeblood, and we cannot urge you too strongly to do everything possible for its protection."

As I said, the city is now using these properties under a license of indefinite duration, but, of course, the license can be revoked at any time. Recently there has been a great deal of question as to the disposition of this Federal reservation, and, in fact, the 1950 budget cuts off the funds under which the Remount Service has been operated. They are, therefore, very anxious about the security of their investment and their water supply and would like to have these two items transferred to them by quitclaim deed.

A similar bill passed the Senate last year, but it was too late in the session for House action. The bill has been approved by the Department of Agriculture, and I do not believe there is any controversy about it. I have a freehand map showing the locations of the properties in question in case anyone wants to look at it.



# Calendar No. 81

81ST CONGRESS  
1ST SESSION

# S. 314

[Report No. 98]

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## IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1949

Mr. BUTLER (for himself and Mr. WHERRY) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

MARCH 8 (legislative day, FEBRUARY 21), 1949

Reported by Mr. THOMAS of Oklahoma, without amendment

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## A BILL

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

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1 five feet; thence south three hundred and six feet; thence  
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22 shall fail or cease to use such tract for such purposes, or shall  
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24 revert to the United States.



81ST CONGRESS  
1ST SESSION

**S. 314**

[Report No. 98]

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**A BILL**

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

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By Mr. BUTLER and Mr. WHERRY

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JANUARY 10, 1949

Read twice and referred to the Committee on Agriculture and Forestry

MARCH 8 (legislative day, FEBRUARY 21), 1949

Reported without amendment





000,000"; and (3) by striking out "\$250,000" and inserting "\$1,500,000."

**BILL AND JOINT RESOLUTION PASSED OVER**

The bill (S. 213) to provide benefits for members of the reserve components of the armed forces who suffer disability or death in active-duty training for periods of less than 30 days or while engaged in inactive-duty training was announced as next in order.

Mr. GILLETTE. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 53) to provide for the reforestation and revegetation of the forest and range lands of the national forests, and for other purposes, was announced as next in order.

Mr. McCARRAN. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

**TRANSFER OF LAND TO CRAWFORD, NEBR.**

The bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes, was announced as next in order.

Mr. MORSE. Over.

Mr. WHERRY. Mr. President, will the Senator withhold his objection?

Mr. MORSE. I will.

Mr. WHERRY. Mr. President, I should like to ask my colleague, the senior Senator from Nebraska [Mr. BUTLER], if this bill does not provide for the transfer of only a small tract of land to the city of Crawford, Nebr.

Mr. BUTLER. Mr. President, the bill provides for the transfer of approximately 43 acres of what was Fort Robinson, now the Robinson Remount Station. The 43 acres have been in the possession of the city of Crawford for a great many years. In anticipation of the remount station perhaps being taken out of the possession of the Government and falling into other hands, whereby the city of Crawford may lose title to the pipe line which brings water into the city, the bill provides that the city of Crawford may get title to the pipe line, and a small park area which adjoins the city.

Mr. WHERRY. Is it not true that this tract is a small portion of several thousand acres of land, that it is not very valuable, but would be of interest to the city of Crawford?

Mr. BUTLER. It covers 43 acres of a tract of approximately fifteen or twenty thousand acres.

Mr. WHERRY. Did not the Senate pass the bill last year, but because of the time element it failed to get through the other House and become a law?

Mr. BUTLER. Yes.

Mr. LODGE. Mr. President, there are many cases like this in all the States of the Union, where there is Federally owned property which the Federal Government no longer needs. So that this is of interest to all Senators.

Mr. BUTLER. The city already has this land. All they are asking is a quit-claim deed from the Government.

Mr. LODGE. For what use does the city want the land?

Mr. BUTLER. The acreage which adjoins the city of Crawford is used for park

purposes, and this land is a part of the city.

Mr. LODGE. Is it being used now?

Mr. BUTLER. It is being used, and has been for years, and a pipe line brings water from a source many miles out of the city into the city.

Mr. LODGE. Does this bill affect the pipeline?

Mr. BUTLER. It gives the city of Crawford title to land occupied by the pipe line.

Mr. WHERRY. It is also a part of the water system, is it not? Part of the water which comes into the city comes from water on this 43 acres, and has for years, has it not? This is not merely an outgrowth of the Surplus Property Act. The negotiations for this land have been carried on for a considerable period of time.

Mr. LODGE. How did it happen that the bill went to the Committee on Agriculture and Forestry and not to the Committee on Armed Services?

Mr. WHERRY. Because the Remount Service has been transferred to the Committee on Agriculture and Forestry.

Mr. THYE. Mr. President, this is the old Army remount station transferred to the Department of Agriculture last year, and the land has some of the water mains and some of the pipes of the city lying across it.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wish to say that I am reasonably confident that we can and will work out a satisfactory understanding in regard to this matter between now and the next call of the calendar. But the whole remount issue is pending with the Department of Agriculture, and I want to consider this measure along with the whole issue at the time. Therefore I object.

The VICE PRESIDENT. The Senator from Oregon objects and the bill will be passed over.

**AMENDMENT OF INTERSTATE COMMERCE ACT RELATING TO JOINT BOARDS**

Mr. REED. Mr. President—

The VICE PRESIDENT. For what purpose does the Senator from Kansas rise?

Mr. REED. When Senate bill 255, Calendar No. 66, was reached on the call of the calendar the Senator from Alabama [Mr. HILL] asked that it go over in order that he might have an opportunity to look into it. I have conferred with the Senator from Alabama. He has no objection to the passage of Senate bill 255, Calendar No. 66, or the passage of Senate bill 256, Calendar No. 67, but he does object to Senate bill 257, Calendar No. 68. I am willing to have Senate bill 257 go over, and have the other two bills passed at this time.

The VICE PRESIDENT. The order was that the three bills should go to the foot of the calendar. They are now at the foot of the calendar and will be called when the call of the calendar is completed.

Mr. HILL. Mr. President, I ask unanimous consent that the Senate may

proceed to the consideration of Senate bill 255, Calendar No. 66.

The VICE PRESIDENT. Is there objection?

There being no objection, the bill (S. 255) to amend section 205 of the Interstate Commerce Act, relating to joint boards, was considered, ordered to a third reading, read the third time, and passed, as follows:

*Be it enacted, etc., That subsection (b) of section 205 of the Interstate Commerce Act is hereby amended to read as follows:*

"(b) Whenever there arises in the administration of this part any matter that the Commission is required to refer to a joint board, or that the Commission determines, in its discretion, to refer to a joint board, the Commission shall, if no joint board eligible to consider said matter is in existence, create a joint board to consider the matter when referred, and to recommend appropriate order thereon. The Commission shall prescribe rules governing meetings and procedure of joint boards and may, in the event of legal proceedings preventing reference to a joint board, determine the matter as provided in section 17. Except as hereinafter provided, a joint board shall consist of a member from each State in which the motor carrier or brokerage operations involved are or are proposed to be conducted. The member from any such State shall be nominated by the board of such State from its own membership or otherwise; or if there is no board in such State or if the board of such State fails to make a nomination when requested by the Commission, then the governor of such State may nominate such member. The Commission is authorized to appoint as a member upon the joint board any such nominee approved by it. If both the board and the governor of any State shall fail to nominate a joint board member when requested, then the joint board shall be constituted without a member from such State, if members for two or more States shall have been nominated and approved by the Commission. All decisions and recommendations by joint boards shall be by majority vote: *Provided, however,* That in any matter where only one member shall participate in a hearing such member shall constitute a quorum and make recommendation of an order thereon. If the board of each State from which a member of a joint board is entitled to be appointed shall waive action on any matter referred to such joint board, or if any joint board fails or refuses to act, or is unable to agree upon any matter submitted to it within 45 days after the matter is referred to it or such other period as the Commission may authorize, or if a member shall not be nominated for more than one State (except only when the operations proposed shall be into or through territory foreign to the United States), then such matter shall be decided as in the case of any matter not required to be referred to a joint board. The failure of a duly appointed member of a joint board to participate in any hearing on a matter referred to such joint board, after notice thereof, shall be considered to constitute, as to the matter referred, a waiver of action on the part of the State from which such member was appointed, but shall not affect the duty and power of the remaining members or member of said joint board, if any, to proceed with said hearing, to consider such matter, and to make recommendation of an order thereon. When any proceeding required to be referred to a joint board shall involve operations of a motor carrier conducted or proposed to be conducted into or through territory foreign to the United States, if a single State shall be involved, or if only one State shall make nomination of a joint board member through its governor or State board, then the Com-

mission, in such case, may receive from that State the nomination of not more than three members and may appoint such nominees to constitute the joint board. Members of joint boards when administering the provisions of this part shall receive such allowances for travel and subsistence expenses as the Commission shall provide. A joint board shall continue in existence for the consideration of matters referred to it by the Commission until such time as its existence may be terminated by the Commission. A substitution of membership upon a joint board from any State may be made at any time by nomination and appointment in the same manner as an original nomination and appointment."

AMENDMENTS TO VARIOUS SECTIONS OF  
THE INTERSTATE COMMERCE ACT

Mr. HILL. Mr. President, I make the same unanimous-consent request with respect to Senate bill 256, Calendar No. 67, the next bill on the calendar.

THE VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 256) to amend the Interstate Commerce Act, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

*Be it enacted, etc.*, That paragraph (5) of section 1 of the Interstate Commerce Act, as amended, is amended by striking out "(a)"; and is further amended by striking out "(b)" and inserting in lieu thereof "(5½)."

SEC. 2. (a) The first sentence of paragraph (2) of section 3 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(2) No carrier by railroad and no express company subject to the provisions of this part shall deliver or relinquish possession at destination of any freight or express shipment transported by it until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to govern the settlement of all such rates and charges and to prevent unjust discrimination: *Provided*, That the provisions of this paragraph shall not be construed to prohibit any carrier or express company from extending credit in connection with rates and charges on freight or express shipments transported for the United States, for any department, bureau, or agency thereof, or for any State or Territory or political subdivision thereof, or for the District of Columbia."

(b) The amendment made by subsection (a) of this section shall take effect 6 months after the date of the enactment of this act.

SEC. 3. The second sentence of subparagraph (b) of paragraph (2) of section 5 of the Interstate Commerce Act, as amended, is amended to read as follows: "If the Commission shall consider it necessary in order to determine whether the findings specified below may properly be made, it shall set said application for public hearing; and a public hearing shall be held in all cases where carriers by railroad are involved unless the Commission determines that a public hearing is not necessary in the public interest."

SEC. 4. (a) Paragraph (10) of section 5 of the Interstate Commerce Act, as amended, is amended by adding at the end thereof a new subparagraph as follows:

"Nothing in this section shall be construed to require the approval or authorization of the Commission in the case of a transaction within the scope of paragraph (2) where the only parties to the transaction are street, suburban, or interurban electric railways none of which is controlled by or under common control with any carrier which is op-

erated as part of a general steam railroad system of transportation."

(b) Paragraph (13) of section 5 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(13) As used in paragraphs (2) to (12), inclusive, the term 'carrier' means a carrier by railroad and an express company and a sleeping-car company, subject to this part; and a motor carrier subject to part II; and a water carrier subject to part III."

SEC. 5. Paragraph (5) of section 6 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(5) Every common carrier subject to this part shall also file with said Commission copies of all contracts, agreements, or arrangements, with other common carriers in relation to any traffic affected by the provisions of this part to which it may be a party: *Provided, however*, That the Commission, by regulations, may provide for exceptions from the requirements of this paragraph in the case of any class or classes of contracts, agreements, or arrangements, the filing of which, in its opinion, is not necessary in the public interest."

SEC. 6. Paragraph (5) of section 16 of the Interstate Commerce Act, as amended, is amended by changing the period at the end thereof to a colon and adding thereafter the following: "Provided, That in such such proceedings service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier, and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff or schedule to which another carrier is a party shall be deemed to be due and sufficient notice upon the several carriers parties thereto. Such service of notice may be made by mail to such attorney in fact or carrier at the address shown in the tariff or schedule."

SEC. 7. Paragraph (1) of section 20 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(1) The Commission is hereby authorized to require annual, periodical, or special reports from carriers, lessors, and associations (as defined in this section), to prescribe the manner and form in which such reports shall be made, and to require from such carriers, lessors, and associations specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary, classifying such carriers, lessors, and associations as it may deem proper for any of these purposes. Such annual reports shall give an account of the affairs of the carrier, lessor, or association in such form and detail as may be prescribed by the Commission."

SEC. 8. The second sentence of paragraph (5) of section 20 of the Interstate Commerce Act, as amended, is amended by striking out "carriers and lessors" and inserting in lieu thereof the following: "carriers, lessors, and associations."

SEC. 9. Paragraph (8) of section 20 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(8) As used in this section, the words 'keep' and 'kept' shall be construed to mean made, prepared, or compiled, as well as retained; the term 'carrier' means a common carrier subject to this part, and includes a receiver or trustee of such carrier; the term 'lessor' means a person owning a railroad, a water line, or a pipe line, leased to and operated by a common carrier subject to this part, and includes a receiver or trustee of such lessor; and the term 'association' means an association or organization maintained by or in the interest of any group of carriers subject to this part which performs any service, or engages in any activities, in connection with any traffic, transportation, or facilities subject to this act."

SEC. 10. Paragraph (1) of section 20a of the Interstate Commerce Act, as amended, is amended to read as follows:

"(1) That as used in this section, the term 'carrier' means a common carrier by railroad (except a street, suburban, or interurban electric railway which is not operated as a part of a general steam railroad system of transportation) which is subject to this part, or any corporation organized for the purpose of engaging in transportation by railroad subject to this part, or a sleeping-car company which is subject to this part."

SEC. 11. The first two sentences of subsection (a) of section 220 of the Interstate Commerce Act, as amended, are amended to read as follows:

"(a) The Commission is hereby authorized to require annual, periodical, or special reports from all motor carriers, brokers, lessors, and associations (as defined in this section); to prescribe the manner and form in which such reports shall be made; and to require from such carriers, brokers, lessors, and associations specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary. Such annual reports shall give an account of the affairs of the carrier, broker, lessor, or association in such form and detail as may be prescribed by the Commission."

SEC. 12. The third sentence of subsection (d) of section 220 of the Interstate Commerce Act, as amended, is amended to read as follows: "The Commission or its duly authorized special agents, accountants, or examiners shall at all times have access to and authority, under its order, to inspect and examine any and all lands, buildings, or equipment of motor carriers, brokers, and lessors; and shall have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of such carriers, brokers, lessors, and associations (as defined in this section), and such accounts, books, records, memoranda, correspondence, and other documents of any person controlling, controlled by, or under common control with any such carrier, as the Commission deems relevant to such person's relation to or transactions with such carrier."

SEC. 13. Subsection (e) of section 220 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(e) As used in this section, the words 'keep' and 'kept' shall be construed to mean made, prepared, or compiled, as well as retained; the term 'lessor' means a lessor of any right to operate as a motor carrier; the term 'motor carrier', 'broker', or 'lessor' includes a receiver or trustee of any such motor carrier, broker, or lessor; and the term 'association' means an association or organization maintained by or in the interest of any group of motor carriers or brokers subject to this part which performs any service, or engages in any activities in connection with any traffic, transportation, or facilities subject to this act."

SEC. 14. (a) The third sentence of subsection (a) of section 221 of the Interstate Commerce Act, as amended, is amended by striking out the word "registered".

(b) The last sentence of such subsection (a) is amended to read as follows: "In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier naming the rates, fares, charges, classifications, or practices, involved in such proceedings shall be deemed to be due and sufficient service upon the carrier and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff to which another carrier is a party naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service





Initial planting program on national forest lands by States (as of March 1949)—Con.

State	Non-stocked land	Under-stocked land	Total
	Acres	Acres	Acres
Michigan	510,000	180,000	690,000
Minnesota	175,000	190,000	365,000
Mississippi	155,000	17,000	172,000
Missouri	25,000	17,000	42,000
Montana	90,000	5,000	95,000
Nebraska	9,000	—	9,000
Nevada	15,000	—	15,000
New Hampshire	2,000	—	2,000
New Mexico	115,000	5,000	120,000
North Carolina	10,000	5,000	15,000
Ohio	10,000	1,000	11,000
Oregon	310,000	220,000	530,000
Pennsylvania	45,000	6,000	51,000
South Carolina	15,000	6,000	21,000
South Dakota	30,000	3,000	33,000
Tennessee	5,000	—	5,000
Texas	10,000	17,000	27,000
Utah	10,000	—	10,000
Vermont	1,000	1,000	2,000
Washington	135,000	70,000	205,000
West Virginia	12,000	1,000	13,000
Wisconsin	165,000	95,000	260,000
Wyoming	1,500	—	1,500
Virginia	1,000	6,000	7,000
Total	2,938,000	1,173,000	4,111,000

State:	Acres
Arizona	100,000
California	250,000
Colorado	450,000
Idaho	526,000
Montana	100,000
Nevada	600,000
New Mexico	250,000
Oregon	280,000
South Dakota	10,000
Utah	1,169,000
Washington	65,000
Wyoming	200,000
Total	4,000,000

Mr. ANDERSON. Mr. President, my hope is that this authority may be granted, and then the whole matter may be considered by the Appropriations Committee, and funds may then be made available in such amounts as the Congress may determine.

But I believe it is important to start now in the replanting of our forests. During the wartime period we harvested timber 50 percent faster than it was grown; and if that process is not reversed, we shall soon have exhausted our supply of timber.

Mr. RUSSELL. Mr. President, I am heartily in favor of the purpose, but I am interested to know the amount of the authorization proposed.

Mr. ANDERSON. Three million dollars is proposed for the first year, and then there would be gradually increasing amounts, until finally a rather substantial sum would be reached. It would be \$5,000,000 in the second year, \$7,000,000 in the third year, \$8,000,000 in the fourth year, and thereafter \$10,000,000 a year for a long period; but all those are thus far merely proposed authorizations; and appropriations would be required, of course.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. TYDINGS. How many trees does the Senator anticipate will be planted during the first year for which the \$8,000,000 expenditure will be made, if such appropriation is actually made?

Mr. ANDERSON. I cannot answer the question, because the difference in costs of plantation as between various areas is substantial. But I have already had inserted in the RECORD a list of the various States and the amount of acreage in each State. The total is somewhat in excess of 4,000,000 acres, and nearly every State in the Union is affected.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 53) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Resolved, etc.*, That it is the declared policy of the Congress to accelerate and provide a continuing basis for the needed reforestation and revegetation of national-forest lands and other lands under administration or control of the Forest Service of the Department of Agriculture in order to obtain the benefits hereinbefore enumerated.

Sec. 2. For the purpose of carrying out the provisions of this joint resolution on national-forest lands and other lands under the administration or control of the Forest Service of the Department of Agriculture, including the acquisition of land or interests thereto for nurseries, there is hereby authorized to be appropriated to remain available until December 31 of the ensuing fiscal year, \$3,000,000 for the fiscal year ending June 30, 1951; \$5,000,000 for the fiscal year ending June 30, 1952, \$7,000,000 for the fiscal year ending June 30, 1953; \$8,000,000 for the fiscal year ending June 30, 1954; \$10,000,000 for the fiscal year ending June 30, 1955; a like amount for each subsequent year through the fiscal year ending June 30, 1965, and thereafter such amounts as may be needed for reforestation; and \$1,500,000 for the fiscal year ending June 30, 1951; \$1,750,000 for the fiscal year ending June 30, 1952; \$2,000,000 for the fiscal year ending June 30, 1953; \$2,500,000 for the fiscal year ending June 30, 1954; \$3,000,000 for the fiscal year ending June 30, 1955; a like amount for each subsequent year through the fiscal year ending June 30, 1965, and thereafter such amounts as may be needed for range revegetation.

The preamble was agreed to.

TRANSFER OF LAND IN ROBINSON REMOUNT STATION, NEBR.—BILL PASSED OVER

The bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, reserving the right to object, I wish to make a brief comment on the bill, which I hope will be discussed by the senior Senator from Nebraska [Mr. BUTLER].

This bill presents a difficulty in respect to an important matter of policy which I think should be considered by the Senate in connection with the question of disposing of property belonging to all the people of the United States for the benefit of a group in a particular locality.

As I read the report on the bill, what it amounts to, when we get down to its very essence, is that it is proposed that approximately 43 acres of land be given to

the citizens of Crawford, Nebr., for public park purposes. I am at a loss to understand why all the people of the United States should donate a park to Crawford, Nebr. The record in this case shows that there is involved the question of an easement for a water main; and I certainly think the people of Crawford, Nebr., should have that easement. I think the record also shows that certain park improvements have been made by the people of Crawford, Nebr., because over the years they have been making use of these 43 acres for park purposes.

I should like to accommodate the Senators from Nebraska; but, so far as I am concerned, as in the last session of Congress, I think we must call a halt to giving away Federal property for the benefit of people in local communities, without their paying a reasonable or fair price for the benefit received.

I would much prefer this bill if it provided that the people of Crawford, Nebr., should pay 50 percent of the appraised value of the 43 acres of land.

Of course this bill involves a rather small item; but some time ago the Senators from Michigan encountered the same difficulty with respect to Fort Wayne; the Senators from Massachusetts ran into a similar difficulty in respect to a park in Massachusetts, and the Senators from Minnesota ran into the same difficulty in respect to certain property wanted by the University of Minnesota Medical School. Certainly we should follow a consistent principle in regard to all these matters; and I have not been shown to date that in such proposals as these an equitable solution would not be to have the citizens involved pay 50 percent of the appraised value of the property.

So, Mr. President, subject to the right of the Senator from Nebraska to reply to this point, I wish to object.

Mr. BUTLER. Mr. President, I wish to say that I appreciate very much the remarks of the Senator from Oregon, and I further wish to say that I am very sympathetic with him in regard to a general proviso that towns or municipalities or other groups which receive Federal property should pay something for it.

In this case, this particular piece of land was put under a revocable lease some 23 or 25 years ago. I suppose the land was then worth not more than \$5 an acre. Since then it has been improved by the people of the city of Crawford, so that it has provided public park services, not only to the people of Crawford and their community, but also to the persons living in the remount station grounds. At times hundreds of such persons enjoyed the benefits.

The land was made into a park. It is not a residential part of the city at all; it is a playground or recreation area. At the present time there is a concrete stadium there, for which the people of Crawford have paid.

In view of the free services on the part of the people of Crawford to the people attached to the remount station, who are our servants, I think the people of Crawford have paid a considerable

amount for this small tract of 43 acres, which is a part of some 15,000 or 20,000 acres of the remount station.

I have given the distinguished Senator from Oregon the other facts pertaining to the matter. The bill was passed in the Eightieth Congress, but it reached the House of Representatives too late for action there before the end of the session. That is why the bill has not been enacted before now.

THE VICE PRESIDENT. Is there objection to the present consideration of the bill?

MR. MORSE. Mr. President, I think the bill is in need of amendment; therefore I object at this time.

THE VICE PRESIDENT. Objection being heard, the bill is passed over.

MR. BUTLER. Mr. President, may I have the understanding that we will try to bring up the bill at the close of the calendar call?

THE VICE PRESIDENT. The Chair cannot have any understanding about it.

MR. BUTLER. I make a motion to that effect.

THE VICE PRESIDENT. The clerk will call the next bill.

#### BILL PASSED OVER

The bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

THE VICE PRESIDENT. Is there objection?

MR. TAFT. Mr. President, I object.

THE VICE PRESIDENT. On objection, the bill will be passed over.

#### TRANSFER OF POMONA STATION OF AGRICULTURE REMOUNT SERVICE

The bill (S. 969) to transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif., was announced as next in order.

THE VICE PRESIDENT. Is there objection?

MR. WHERRY. Mr. President, reserving the right to object, am I correct in my understanding that we are now on Calendar 84, Senate bill 969?

THE VICE PRESIDENT. That is correct.

MR. WHERRY. If I may inquire, can the Senator from Oregon tell us whether consideration of this bill also is objected to on the same basis as the objection to the bill relative to Crawford, Nebr.?

MR. MORSE. No. Mr. President, I have gone into this bill, and it is a good example of the distinction in principle to which I have heretofore alluded. In this case all the bill proposes to do is to return to the Kellogg Foundation the property which they sought to turn over and did turn over to the Federal Government for a particular use. The Federal Government no longer desiring the property for that purpose, I think it is perfectly proper to return the property to the Kellogg Foundation. It is not a case of giving away property that belongs to all the people of the United States, but rather returning property turned over to the Government for a particular use which the Government no longer wants to make use of. I have no objection.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 7, after the word "California", to strike out "which tract, originally in the ownership of W. K. Kellogg, was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg", and insert "which tract, originally in the ownership of W. K. Kellogg, was conveyed to the United States acting through the War Department (now Department of the Army)", so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of Agriculture is authorized and directed to transfer and convey to the W. K. Kellogg Foundation, Inc., without cost, the real property, comprising 812 acres, more or less, of the Agriculture Remount Station at Pomona, Calif., which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg and subsequently transferred to the Department of Agriculture pursuant to the act of April 21, 1948 (62 Stat. 197), and such of the personal property of this station as may be agreed upon, in writing, by the Secretary of Agriculture and the W. K. Kellogg Foundation, Inc.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### ADMINISTRATION OF CENTRAL INTELLIGENCE AGENCY—BILL PASSED OVER

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

MR. TYDINGS. Mr. President, I should like to make a brief explanation of the bill. This is a very important bill to those who are identified with the Central Intelligence Agency. In modern times it is necessary to assemble all the information that can be obtained concerning our own national security and its relationship to the national security of other countries. All governments—we might as well be frank about it—utilize every reasonable agency they can to assemble desirable information concerning the activities of other governments. Sometimes in some countries men who are engaged in trying to find out what is going on lose their lives. They are caught, held as spies, and liquidated. They are never heard of again. The bill does not provide for any new activity. What it does particularly is to seek to safeguard information procured by agents of the Government so that it will not fall into the hands of enemy countries or potential enemy countries who would use the information to discover who the agents were, and kill them.

To my certain knowledge, in a certain area, not many years ago three good Americans who were trying to serve their Government by finding out whether the intentions of another government were strictly honorable were liquidated. The men were detected and killed. What the bill does is to seek to keep their names and identities out of the normal accounting channels, so that they cannot be picked up through the promiscuous dis-

semination of information. That is the principal point in the bill.

I shall not ask for its immediate consideration. I know there are some Senators, one of whom is my good friend and colleague, the Senator from North Dakota, who wants more time to look into it. But I wanted to make this brief explanation, so that Senators would have in mind what is in the bill as they consider it and read it in the future. I shall be very glad to yield, within the time limit that is left to me, to answer, if I can, any question any Senator may desire to raise.

THE VICE PRESIDENT. The bill will be passed over, then.

#### DISCLOSURES RELATING TO UNITED STATES CODES, ETC.—BILL PASSED OVER

The bill (S. 277) to enhance further the security of the United States by preventing disclosures of information concerning the cryptographic systems and the communications intelligence activities of the United States was announced as next in order.

THE VICE PRESIDENT. Is there objection?

MR. FERGUSON. Mr. President, reserving the right to object, in order to get an answer on the RECORD, I may say that the Senator from Texas [Mr. JOHNSON] explained to the Senator from Michigan that the words "lawful demands," do not mean that a subpoena by Congress will be necessary in order to obtain information for congressional committees, either of the Senate or House, or joint committees. Will the Senator from Texas make a statement to that effect for the RECORD?

MR. JOHNSON of Texas. The Senator from Michigan has correctly stated the meaning.

THE VICE PRESIDENT. Is there objection to the present consideration of the bill?

MR. JOHNSON of Colorado. I ask that the bill go over.

THE VICE PRESIDENT. Does the Senator object?

MR. JOHNSON of Colorado. I object.

THE VICE PRESIDENT. The bill will be passed over.

#### BILL PASSED OVER

The bill (H. R. 1211) to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

MR. WHERRY. Mr. President, by request, I ask that the bill go over. I should also like to have the same statement made following the objection raised by me to Calendar 71, Senate bill 1070.

THE VICE PRESIDENT. On objection, the bill will be passed over.

#### BILL PASSED OVER

The bill (S. 900) to amend the Commodity Credit Corporation Charter Act, the Strategic and Critical Materials Stock Piling Act, and for other purposes, was announced as next in order.

THE VICE PRESIDENT. Is there objection?

MR. LODGE. By request, I object.





TRANSFER POMONA REMOUNT STATION, POMONA, CALIF.

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TRANSFER LAND IN ROBINSON REMOUNT STATION,  
CRAWFORD, NEBR.

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HEARINGS  
BEFORE  
SUBCOMMITTEE NO. 2 OF  
THE COMMITTEE ON AGRICULTURE  
HOUSE OF REPRESENTATIVES  
EIGHTY-FIRST CONGRESS  
FIRST SESSION  
ON  
**H. R. 3003, H. R. 3022, S. 969**  
(POMONA)  
**H. R. 1242**  
(ROBINSON STATION)

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MAY 11, 1949

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Serial Z

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## TRANSFER OF POMONA REMOUNT STATION

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WEDNESDAY, MAY 11, 1949

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE COMMITTEE ON AGRICULTURE,  
*Washington, D. C.*

The subcommittee met at 10 a. m., Hon. George M. Grant (chairman) presiding.

Mr. GRANT. The committee will come to order, please.

Gentlemen, we have two bills before us, one introduced by Mr. Shafer, H. R. 3022, and another by Mr. White, H. R. 3003, which seem to be companion bills, each providing for the transfer of the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, Calif. I understand a similar bill, S. 969, has been introduced in the Senate.

(H. R. 3003 follows:)

[H. R. 3003, 81st Cong., 1st sess.]

A BILL To transfer the Pomona station of the Agriculture Remount Service, Department of Agriculture, at Pomona, California

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to transfer and convey to the W. K. Kellogg Foundation, Incorporated, without cost, the real property, comprising eight hundred and twelve acres, more or less, of the Agriculture Remount Station at Pomona, California, which was conveyed to the United States acting through the War Department (now Department of the Army) by W. K. Kellogg and subsequently transferred to the Department of Agriculture pursuant to the Act of April 21, 1948 (62 Stat. 197), and such of the personal property of this station as may be agreed upon, in writing by the Secretary of Agriculture and the W. K. Kellogg Foundation, Incorporated.*

### STATEMENT OF EMMORY W. MORRIS, PRESIDENT, W. K. KELLOGG FOUNDATION, BATTLE CREEK, MICH.

Mr. GRANT. Is Dr. Emory Morris present?

Mr. MORRIS. Yes.

Mr. GRANT. Dr. Morris, we will be glad to hear from you at this time. Do you have a prepared statement, or do you wish to proceed otherwise?

Mr. MORRIS. I have a prepared statement, Mr. Chairman, which will take about 12 to 15 minutes to read. If you like, I will be glad to read it.

Mr. GRANT. The committee will be glad to have you do so.

Mr. MORRIS. Thank you.

Mr. Chairman and members of the committee, my name is Emory W. Morris, and I am president of the W. K. Kellogg Foundation with headquarters at Battle Creek, Mich. This foundation was established in 1930 under the laws of the State of Michigan for the purpose of re-

ceiving and administering funds for the promotion of the health, education, and welfare of mankind, but principally of children and youth, directly or indirectly, without regard to sex, creed, race, or nationality in whatever manner the board of trustees may decide. The assets of the foundation held in its own right and in trust for it have been received chiefly from Mr. W. K. Kellogg and now amount to approximately \$48,000,000. The foundation spends about \$2,000,000 annually for charitable and educational purposes. Through August 1948, it had spent approximately \$28,000,000 for these purposes.

I appreciate the opportunity of appearing before this committee to discuss the bill, which is a bill to provide for the transfer of the agriculture remount station, Department of Agriculture, Pomona, Calif. If the committee will bear with me for just a few minutes, I will explain the interest of the Kellogg Foundation in this bill.

Prior to the year of 1922, Mr. Kellogg became very much interested in the Arabian horse apparently in the agreement with many others that all of our light-horse breeds have sprung from Arabian stock and for the reason that Arabian horses have many characteristics which make them exceptionally useful for work on farms and ranches in the United States and for the recreational purposes of citizens of this country. Mr. Kellogg's interest in these matters led him in 1922, and at subsequent dates, to purchase about 812 acres of land lying 4 miles west of Pomona, Calif., the larger portion of which (approximately 760 acres) Mr. Kellogg developed for use as a breeding farm with necessary barns, sheds, and other farm buildings, together with a number of residences for those who would work on the ranch. The remainder of this tract, about 52 acres, he developed as a winter estate for use by himself and his daughter. The cost of the entire tract, as improved, was \$1,389,450.51. Mr. Kellogg purchased in this and other countries 32 outstanding pure-bred Arabian horses at a cost of \$103,543.87 and shipped them to the Pomona ranch for breeding. The breeding operations at the ranch were carried on under Mr. Kellogg's direct supervision from 1922 to 1932. In 1932, without any monetary consideration, he deeded the tract consisting of approximately 760 acres, 87 Arabian horses, and machinery and equipment valued at \$685,025.73 to the University of California for operation, and at the same time established an endowment fund with the university of about \$600,000, the income from which was to be used by the university in operating the ranch and for furtherance of livestock experiments. The deed to the University of California contained provisions for reverter of the real estate to Mr. Kellogg if the same was not used by the university for the purposes specified in the deed, and provided for reverter of the unused portion of the endowment fund if the terms contained therein were not complied with by the university.

Mr. Kellogg retained for himself the remaining tract of approximately 52 acres, valued at \$704,424.78. Of this remaining tract 3.9 acres and a residence contained thereon were subject to a life lease of his daughter, Elizabeth K. Williamson. By instruments dated December 28, 1932 and January 11, 1934, the reversionary interests of Mr. Kellogg in the real estate deeded to the University of California and the endowment fund established with the university were transferred to the W. K. Kellogg Foundation, and by the same instruments he deeded the 52 acre tract to the foundation subject to the life estate reserved to himself and Mrs. Kellogg and the life lease to his

daughter, Elizabeth K. Williamson. By another deed dated November 27, 1935, Mr. and Mrs. Kellogg conveyed to the W. K. Kellogg Foundation the same land conveyed to it by the two deeds aforementioned, and in this deed extinguished the life estate reserved by the two previous deeds. I have copies of the aforementioned instruments and other documents pertaining to the Pomona Remount Station which I will leave with this committee.

On August 26, 1943, as a patriotic measure, Mr. and Mrs. Kellogg and the W. K. Kellogg Foundation entered into an agreement with the regents of the University of California whereby they agreed to transfer the property which had been deeded to them to the United States through the War Department (now the Department of the Army) but under an arrangement which permitted the University to retain the \$600,000 endowment fund which I mentioned previously, for general university purposes.

Concurrently Mr. and Mrs. Kellogg and the foundation, by two quit-claim deeds as to a part, and the foundation by a warranty deed as to a part on October 19, 1943, also conveyed to the United States all their interests in the property (both that previously deeded to the University of California and that retained by Mr. Kellogg and subsequently transferred to the foundation.) The United States Government paid to the W. K. Kellogg Foundation \$34,496.56, of which \$32,978.77 represented the value of Mrs. Elizabeth K. Williamson's life lease in the 3.9 acres leased to her for her life, and which she received for the extinguishment of her leasehold interest. The remaining \$1,517.79 represented exigible taxes on the property. Neither Mr. and Mrs. Kellogg nor the foundation received anything for their interests in the 52-acre tract in which Mr. Kellogg had invested \$704,424.28 or for their reversionary interests in the real estate conveyed to the University of California or in the endowment fund.

While the deed of transfer contained no stipulations as to the use of the property by the War Department or other reservation, officials of the War Department, including Henry L. Stimson, Secretary of War, evidenced a clear understanding that the property would become an important part of the Army Remount Service and would continue the breeding of Arabian horses. The War Department carried out this understanding until July 1, 1948, when under Act of Congress approved April 21, 1948 (Public Law 494) the entire properties of the Army Remount Service were transferred to the Department of Agriculture. The enabling legislation authorized the Secretary of Agriculture to receive the property and directed him to administer it in such manner as he deems will best advance the livestock and agriculture interests of the United States including improvements in the breeding of horses suited to the needs of the United States.

For the purpose of carrying out the provisions of the above-mentioned act, the Congress appropriated the sum of \$425,000 for the fiscal year 1949. I am informed that officials of the Department of Agriculture concluded that this sum was insufficient to permit the operation of the four remount stations taken over from the Department of the Army and located at Front Royal, Va.; Pomona, Calif.; Fort Reno, Okla.; and Fort Robinson, Nebr. It was their considered opinion that it would be necessary to close the stations at Front

Royal and Pomona and operate a national program from the remaining two stations. The Front Royal station has already been terminated as a remount station.

When I learned of the decision to close the Pomona station on January 1, 1949, I entered into negotiations with the appropriate officials of the Department of Agriculture to postpone this action. As a result of our discussions the Kellogg Foundation entered into an agreement with the Department of Agriculture to provide for the cooperative operation of the Pomona Station from January 1 until June 30, 1949. These steps were taken in order that appropriate disposition of the property at Pomona might be given consideration by this Congress. The agreement with the Department of Agriculture is to terminate shortly after any action by Congress in this connection, but in any event not later than June 30, 1949. The foundation is contributing toward the operation of the Pomona Station at the rate of \$13,000 a month to carry out its responsibilities under the agreement. It appears that upon liquidation of the remount program at Pomona, this property will become surplus to the Department's needs and the property disposed of under applicable statutes. It is possible, therefore, that this valuable property may be acquired by private individuals or organizations and used for private gain. In view of the history of the origin and development of the Pomona station, and its use from 1922 to 1949, for the purpose of breeding and increasing the use of the Arabian horses in this country, I believe, there resulted a strong equitable interest in the disposition of this property in favor of the W. K. Kellogg Foundation.

As stated already, Mr. Kellogg expended about \$1,389,450.51 in the acquisition and development of this property and, of course, spent many thousands of dollars for the acquisition of the pure-bred Arabian horses and for the operation of the station for the period between 1922 and 1932. In addition, Mr. Kellogg established the endowment fund of \$600,000 with the University of California which was directly attributable to the Pomona project.

Since it appears likely that the land comprising the property may be acquired by private interests and exploited for private gain, it would seem only equitable that the United States should return the property to the Kellogg Foundation of which I am president and general director. Should the foundation acquire title to the property, it will be turned over to some educational or other institution in the State of California, with appropriate financial arrangements, under an agreement whereby the property will be used for the public good for educational purposes, so that the original purposes of Mr. Kellogg may be carried out as far as practicable in view of the changed conditions. This agreement will provide for the continued breeding of Arabian horses, and it will result in continued use of the property for the public welfare. Thus the transfer of the property to the Kellogg Foundation in my opinion will be in the public interest.

As president of the Kellogg Foundation, I have for the past few months been conferring with educational institutions in California but have not reached an agreement for the operation of the Pomona property should the Congress authorize disposition of the property.

I now understand that the President's budget for the next fiscal year contains no provision at all for the continuation of the Agriculture Remount Service. This decision, in my opinion, makes it all the more

desirable that there be some arrangement for the perpetuation in this country of a clear strain of pure-bred Arabian horses. The W. K. Kellogg Foundation would be happy if the Pomona station were to be continued for light-horse breeding under the jurisdiction of the Department of Agriculture. However, since the Department is no longer able to operate the station for such purposes, I urge that this committee give favorable consideration to the bill now before you.

This concludes my statement and I wish to express my appreciation for your consideration and attention. Should the chairman and members of the committee have any questions to ask, I will be glad to give you all possible information.

Mr. GRANT. Thank you, Dr. Morris. Do any members of the committee have any questions they would like to ask of Dr. Morris?

Mr. GATHINGS. Dr. Morris, it is not quite clear to me just the manner in which the Department of the Army, or the War Department at that time, acquired title to this Pomona remount property.

Mr. MORRIS. I tried to explain that on page 3.

Mr. GATHINGS. What line and what paragraph in your statement?

Mr. MORRIS. In the second and last paragraph. Briefly the situation is this, that the Kellogg Foundation entered into an agreement with the University of California, whereby they agreed to transfer the property, which had been deeded to Mr. and Mrs. Kellogg and the Kellogg Foundation, to the United States through the War Department but under an arrangement which permitted the University to retain \$600,000 endowment fund for general university purposes.

At the same time other sections of the property, which comprise 3.9 acres, and which was valued—and I have given the figure of \$704,000 and was owned directly by the foundation, which gave a warranty deed to the Government for that portion of the property.

Mr. GATHINGS. You are asking for the 3.9 acres, and the 52 acres, and some of the other acreage?

Mr. MORRIS. And 760 acres, all of which comprises the 812 acres. I should have said that the 3.9 is contained in the 52 acres, which includes the 3.9 acres.

Mr. GATHINGS. I think this is a most laudable undertaking which the Foundation has provided with an endowment fund, for the development of Arabian pure stock horses.

Mr. GRANT. Mr. Abbitt, do you have any questions?

Mr. ABBITT. Dr. Morris, if you do not find an educational group that will take over this breeding of Arabian horses is it your idea that the Foundation will continue that work itself?

Mr. MORRIS. Well, I would guess we would, but I am pretty sure we will find an educational institution that will be interested. I have been to California, and I have conferred with a number of educational institutions which have signified an interest. Their interest is much broader than just that of Arabian horses, and I think that a facility of this size, with all of the capacity it has can be used for educational purposes of an educational institution in a much broader manner than in just breeding Arabian horses. I think the whole field of agricultural education is open, and I think it can be utilized much more advantageously to the public good than for just Arabian horses, and that is one of the problems we could work out with the educational institution; we would maintain a minimum of Arabian horse breeding program, but we would hope that we could develop this entire facility for educational purposes.

Mr. ABBITT. In other words, it is the intention of the Foundation to see that provision is made for the breeding program in order to carry out the original purpose of Mr. Kellogg?

Mr. MORRIS. That is right.

**STATEMENT OF EDWARD J. OVERBY, ASSISTANT TO THE  
SECRETARY OF AGRICULTURE**

Mr. GRANT. Mr. Overby, is there any statement you would like to make to the committee in reference to the bills?

Mr. OVERBY. Mr. Chairman, the reason the Department of Agriculture proposed this legislation is that we had inquiries from a good many educational institutions in California concerning the acquisition of this property, and we did not feel that it was proper for the Department to decide which one of the institutions should probably receive this particular property, and there was a great deal of interest in it.

And, we also felt that since the Kellogg Foundation, in order to keep it from being liquidated last fall, and to keep it at a minimum of operation, put up \$13,000 a month, and since having donated it to the Government for specific purposes originally, as has been indicated, we felt it was only proper for it to be redonated to that Foundation for educational purposes.

I would like to point out that we added a slight amendment to the original bill, and S. 969, which may or may not be the bill you are actually considering, is slightly changed from the two House bills which the chairman has mentioned.

On page 1, lines 7 and 8, we put in a little clarifying language for the Senate, merely to show the actual transfer was made in large part of the property from the university, that the legal title came from the university to the War Department, but it changes none of the substance of what Dr. Morris, has stated. The original bill and I think the House bills probably indicate it was conveyed through the War Department, and that is not quite correct; the transfer was actual from the University of California for the bulk of the property.

Mr. GATHINGS. May I ask the gentleman a question?

Mr. GRANT. Yes.

Mr. GATHINGS. Do I understand from you that the Department of Agriculture is in favor of transferring title to the four remount stations, one at Front Royal, Va., this one at Pomona, Calif., the one at Fort Reno, Okla., and the one at Fort Robinson, Nebr.?

Mr. OVERBY. No; the report is on this bill.

Mr. GATHINGS. We have various bills here before us and I was just wondering what the views of the Department would be with regard to the other three stations.

Mr. GRANT. Suppose we complete with the Pomona station first.

Mr. GATHINGS. Certainly.

Mr. OVERBY. That is just the one we are considering here.

Mr. GRANT. Mr. Dague.

Mr. DAGUE. Dr. Miller has a bill covering the Fort Robinson station.

Mr. OVERBY. Yes; that is contained in H. R. 1242, just a small piece of property in the Fort Robinson Remount station.

The situation of the Remount Service in general is that the appropriation bill, just reported out of the Senate, gave us \$50,000 beyond June 30 to liquidate the remount stations, and the whole program will be liquidated this calendar year, and some disposition will be made of all of the stations. Whether this one will be transferred over Agriculture or transferred to some educational institution or sold as surplus by the Government I do not know at the present time.

Mr. GATHINGS. The bill introduced by Mr. Miller of Nebraska, H. R. 1242, authorizes the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr.

Mr. OVERBY. Yes.

Mr. GATHINGS. Are you prepared to testify on H. R. 1242?

Mr. OVERBY. Yes; it is a small piece of land.

Mr. GRANT. Suppose we complete with the one before us and then we will take up that bill.

Mr. OVERBY. Yes.

Mr. GRANT. Do the members of the committee have any questions of Dr. Morris? Do you have any further statement to make, Mr. Overby?

Mr. OVERBY. None, except the Department has this interest in transferring the property to the Kellogg Foundation. We think it is a proper solution in equity; we have been working very closely with Dr. Morris and asked him to give the testimony. We worked with him on the statement and we agree with it heartily.

Mr. GRANT. I believe you have answered partially, but I might ask you what will happen to this property if this disposition is not made of it?

Mr. OVERBY. Well, actually this bill would give the property to the Kellogg Foundation. The Kellogg Foundation can only use it either for educational or philanthropic purposes under its charter, and it is just a question of whether it will be retransferred to an educational institution to carry out that purpose, or whether the Kellogg Foundation might have to spend a little more money in its operation, or whether—

Mr. GRANT. My question was what would the Department be forced to do with it if this bill is not enacted?

Mr. OVERBY. I am sorry; I did not understand your question. We have really no choice; we have to liquidate the remount services as such, which would mean we would sell off all the horses and the real property would either be used for some other purpose in the Department, some program, and we know of none now, and we have no funds to operate such a station; or it would probably go the route of surplus property in the Department and be sold, which of course would be for the benefit of the Government. But there has been a great deal of feeling among all, or most of the educational institutions, that it should remain intact as it is.

Mr. GRANT. Thank you very much, Mr. Overby.

Are there any further questions of either of these gentlemen? If not we have Mr. Shafer and Mr. White both here, who introduced these bills. Mr. Shafer, is there anything you would like to say?

**STATEMENT OF HON. PAUL W. SHAFER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN**

Mr. SHAFER. Mr. Chairman, thank you very much; I think I have nothing further to add, aside from the fact that I would like to see the Kellogg Foundation get its wishes in the matter, and I think that is in the best interest of the people and of the country that that be done.

I might say that I have no pride of authorship in this bill that I have introduced. I did it at the request of friends, and of course, the Kellogg Foundation is located in my home city of Battle Creek, Mich. And of course, you can accept the White bill if you care to do that.

Mr. GRANT. Thank you very much, Mr. Shafer.

Mr. SHAFER. Thank you.

Mr. GRANT. Mr. White, is there any statement you would like to make to the committee?

Mr. WHITE. I do not think it is necessary for me to enlarge on what has been said, Mr. Chairman. It is a very simple proposition. The Kellogg Foundation turned the property over to the Government and the Government finds it too expensive to operate, and not useful to it, and it would seem perfectly plain that the property should be turned back to the Foundation. That is all I have to say.

Mr. GRANT. Thank you, Mr. White. If there are no further questions by members of the committee of these gentlemen, we thank you very much.

Mr. MORRIS. Thank you, Mr. Chairman.

(Whereupon the committee proceeded to the consideration of other business.)

# TRANSFER OF LAND IN ROBINSON REMOUNT STATION TO THE CITY OF CRAWFORD, NEBR.

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WEDNESDAY, MAY 11, 1949

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE COMMITTEE ON AGRICULTURE,  
*Washington, D. C.*

The subcommittee met at 10 a. m., Hon. George M. Grant (chairman) presiding.

Mr. GRANT. The committee will be in order, please.

The committee has before it H. R. 1242, a bill introduced by Mr. Miller of Nebraska, authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes.

(H. R. 1242 follows:)

[H. R. 1242, 81st Cong., 1st sess.]

A BILL authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized to transfer by quitclaim deed to the city of Crawford, Nebraska, the following-described tract of land lying within the Robinson Remount Station, Fort Robinson, Dawes County, Nebraska: Beginning at the northwest corner of the tract of land conveyed to the city of Crawford for public-park purposes by the Act of Congress approved June 25, 1906 (34 Stat. 461); thence west along the north line of the said station a distance of one thousand one hundred and seventy-five feet; thence south three hundred and six feet; thence south twenty-seven degrees fifty-two minutes east to the westerly boundary line of the present park, the point of intersection being approximately two thousand six hundred and fifteen feet south of the starting point; thence north two thousand six hundred and fifteen feet to point of beginning, containing an area of approximately forty-three and fifty-seven one-hundredths acres.*

SEC. 2. Said Secretary is hereby authorized to grant to the city of Crawford, Nebraska, a permanent easement across the lands of the United States comprising the Robinson Remount Station, Fort Robinson, Dawes County, Nebraska, for a pipe line to carry water from the White River to the filters and purification plants of the city, which easement shall include all rights and privileges now enjoyed by the city under a revocable license to maintain such pipe line across such lands of the United States.

SEC. 3. The tract of land authorized to be transferred by the first section of this Act shall be used by the grantee for purposes of a public park and recreational site or golf course or for similar and related purposes. If the grantee shall fail or cease to use such tract for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

**STATEMENT OF HON. A. L. MILLER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEBRASKA**

Mr. GRANT. Dr. Miller, we will be glad at this time to have you make such statement as you may wish in regard to this bill.

Mr. MILLER. Thank you, Mr. Chairman and members of the committee.

The bill, H. R. 1242, was introduced at the request of the city of Crawford. They are asking for about 42 acres of land adjacent to the city, in the Fort Robinson station.

I might say that the history of Fort Robinson is this: The land was ceded, or given to the United States Government, back in 1872, for military purposes, and now that the remount station is no longer necessary, apparently the land has been transferred to the Department of Agriculture. And, the Department of Agriculture has been given no funds for carrying on the remount program.

Fort Robinson, during the war, was one of the largest stations used for the training of dogs and other activities in connection with the war.

The land embraced in the Robinson Remount Station, lies right up against the city of Crawford, and in fact, the city has been using some of that land for park purposes and for playgrounds. There is a stadium built out there for athletic purposes and for park purposes.

The land called for in the bill comprises 43.57 acres.

This bill, or a similar bill was reported out last year by the Senate, and in report No. 1278 on the bill by Senator Butler you will find a report provided by Oscar L. Chapman, Under Secretary of the Interior on the bill. The House did not get to act on the bill because of the rush of legislation at the close of the session. This year it is again before the Senate; it came out and was put on the unanimous consent calendar, but received some objection by Senator Morris, who felt that the city of Crawford should pay 50 percent of the appraised value of the property if it were transferred. I think there was no objection to the transfer, and I am not sure of the attitude of the Department of Agriculture relative to the transfer. They are here and they can speak for themselves.

I am going to suggest that because of the difficulty in other body in relation to the 50 percent value as might be determined by the Secretary of Agriculture, that an amendment be inserted in the bill on page 2—and I have three or four copies of the bill that I will be glad to make available—with the thought that when it comes before the Senate it might receive objection on the part of Senator Morris as the bill stands. I understand that he has agreed to this amendment.

While I feel that the city of Crawford, because of its interest in the land, and they have had an interest in this area, because they have been using it and have a water line across the fort, through which they get their main source of water, as indicated in section 2 of the bill—

Mr. GRANT. It is your understanding that the amendment will be acceptable?

Mr. MILLER. I understand that the amendment is acceptable to Senator Morris; and I conferred with Senator Butler yesterday and he said that they were going to present this amendment to the Senate bill; and my bill, I think, is in the same wording as the Senate bill,

and my thought was that if it was acceptable to Senator Morris and it was only held up for that purpose, perhaps the amendment might be placed in this bill and it would be acceptable to the Senate.

Mr. GATHINGS. May I suggest that you read the wording of the amendment into the record.

Mr. MILLER. Amendment to H. R. 1242: Page 2, line 9, strike out the period after the word "acres" and insert the following:

provided that the city of Crawford shall pay 50 per centum of the appraised value of the property as of the date of issuance of the present revokable license to the property issued by the Federal Government to the city of Crawford on or about June 1, 1926, as determined by the Secretary of Agriculture.

Then strike out all of section 3.

I believe with that amendment the bill would be agreed to in the Senate. I have a letter from the city of Crawford stating that while they feel they should not be obliged to pay 50 percent, they are willing to do so, because of the park purpose they have now on the facility, used for a recreational area. Probably under their regulations they might have to vote a bond issue.

Mr. DAGUE. Do you know what the appraised value of the property is?

Mr. MILLER. I do not know. I believe Senator Morris suggested a dollar an acre, and if that is proper, a group of people might get together and raise sufficient money to meet that expense, without having to vote a bond issue.

Mr. GATHINGS. A dollar an acre?

Mr. MILLER. Yes. Back in 1870 the land was not worth very much, when it was first ceded to the Government. But it would be up to the Secretary of Agriculture to determine the value of the property.

Mr. GRANT. Thank you very much, Congressman Miller. Are there any questions by members of the committee.

Mr. MILLER. Thank you.

#### STATEMENT OF EDWARD J. OVERBY, ASSISTANT TO THE SECRETARY OF AGRICULTURE

Mr. GRANT. Mr. Overby, the committee would be glad to have a statement from you on this bill.

Mr. OVERBY. The bill as was introduced before—the Department had no objection to the transfer, and had raised no question of payment by the city of Crawford, so the Department is on record saying that it has no objection to the bill being approved granting the 43 acres to the city of Crawford. It involves property of relatively minor value, but it has been used by the city of Crawford for 20-odd years. They have made improvements.

When objection was made in the Senate to the passage of the bill, on the Consent Calendar, Senator Butler, I believe, asked to have some indication of the value of the land, and as I remember, just based on a horseback appraisal an estimated value was about \$15 an acre as of that date.

Mr. GATHINGS. Speaking for the Department your position is that the bill should be enacted with this amendment, which would require the city of Crawford to pay 50 percent of the present value?

Mr. OVERBY. Yes, we offer no objection to that.

Mr. GRANT. Are there any further questions?

Mr. Miller, is there anything further you wish to add?

Mr. MILLER. I might say this, Mr. Chairman, that when the State of Nebraska ceded this property to the Government for military purposes—and I have a copy of the 1873 act of the legislature which provided that the Government must use the property for military purposes, and when it ceased to be used by the military or by some other branch of the Government, the title would go back to the State of Nebraska. That was the provision made for the transfer of the land in 1873.

Mr. GRANT. Thank you very much, gentlemen.

Mr. MILLER. Thank you, Mr. Chairman.

Mr. GATHINGS. Mr. Chairman, I would like to ask unanimous consent that the report of the Department of Agriculture on both of these bills be included in the record.

Mr. GRANT. I think we have a report on those bills.

(Whereupon the committee proceeded to the consideration of other business.)

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AUTHORIZING THE TRANSFER OF A CERTAIN TRACT OF  
LAND IN THE ROBINSON REMOUNT STATION TO THE  
CITY OF CRAWFORD, NEBR.

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MAY 19, 1949.—Committed to the Committee of the Whole House on the  
State of the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the  
following

**R E P O R T**

{To accompany H. R. 1242}

The Committee on Agriculture, to whom was referred the bill  
(H. R. 1242) authorizing the transfer of a certain tract of land in the  
Robinson Remount Station to the city of Crawford, Nebr., and for  
other purposes, having considered the same, report favorably thereon  
with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Page 2, line 9, strike out the period after the word "acres" and insert  
the following:

: *Provided*, That the city of Crawford shall pay 50 per centum of the appraised  
value of the property as of the date of issuance of the present revocable license to  
the property issued by the Federal Government to the city of Crawford on or  
about June 1, 1926, as determined by the Secretary of Agriculture.

Page 2, line 19, strike out all of section 3.

**STATEMENT**

The Robinson Remount Station is immediately adjacent to the city  
of Crawford, Nebr. For a number of years the city has been using,  
under a revocable permit, a part of the property not used or needed  
by the Government for operation of the station. This area, com-  
prising about 43½ acres, is being used by the city for a park and recrea-  
tional purposes, and it has constructed thereon a number of recrea-  
tional facilities and improvements.

The Remount Service is being liquidated. The Robinson station  
will not be operated as a remount station after July 1, 1949, and pre-  
sumably the property will be disposed of through the usual surplus-  
property channels.

## 2 TRANSFER TRACT OF LAND IN ROBINSON REMOUNT STATION

The land on which the station is established was ceded to the Federal Government by the State of Nebraska in 1872 for military purposes. In view of this fact, and of the equitable interest which the city of Crawford has obtained in the area it has been using since 1926, the transfer of the 43½ acres needed by the city for park and playground purposes seems to be the best possible disposal that could be made of that part of the property.

### DEPARTMENT RECOMMENDATION

Adoption of the bill has been recommended by the Secretary of Agriculture. The following is a copy of the Secretary's letter reporting on the bill:

MARCH 3, 1949.

Hon. HAROLD D. COOLEY,

*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR MR. COOLEY: This is in response to your request of February 17, 1949, for a report on H. R. 1242, a bill authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes.

The bill would transfer approximately 43.57 acres of land to the city of Crawford, and also grant a permanent easement across the reservation for a pipe line to carry water from the White River to the filter and purification plant of the city.

This Department recommends that the bill be passed.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN, *Secretary.*



# Union Calendar No. 245

81ST CONGRESS  
1ST SESSION

# H. R. 1242

[Report No. 632]

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 1949

Mr. MILLER of Nebraska introduced the following bill; which was referred to the Committee on Agriculture

MAY 19, 1949

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.

[Omit the part struck through and insert the part printed in italic]

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## A BILL

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the Secretary of Agriculture is hereby authorized to  
4       transfer by quitclaim deed to the city of Crawford, Nebraska,  
5       the following-described tract of land lying within the Robin-  
6       son Remount Station, Fort Robinson, Dawes County, Ne-  
7       braska: Beginning at the northwest corner of the tract of  
8       land conveyed to the city of Crawford for public-park pur-  
9       poses by the Act of Congress approved June 25, 1906 (34  
10      Stat. 461); thence west along the north line of the said

1 station a distance of one thousand one hundred and seventy-  
2 five feet; thence south three hundred and six feet; thence  
3 south twenty-seven degrees fifty-two minutes east to the  
4 westerly boundary line of the present park, the point of  
5 intersection being approximately two thousand six hundred  
6 and fifteen feet south of the starting point; thence north two  
7 thousand six hundred and fifteen feet to point of beginning,  
8 containing an area of approximately forty-three and fifty-  
9 seven one-hundredths acres: *Provided, That the city of*  
10 *Crawford shall pay 50 per centum of the appraised value*  
11 *of the property as of the date of issuance of the present*  
12 *revokable license to the property issued by the Federal Gov-*  
13 *ernment to the city of Crawford on or about June 1, 1926,*  
14 *as determined by the Secretary of Agriculture.*

15 SEC. 2. Said Secretary is hereby authorized to grant to  
16 the city of Crawford, Nebraska, a permanent easement  
17 across the lands of the United States comprising the Robin-  
18 son Remount Station, Fort Robinson, Dawes County,  
19 Nebraska, for a pipe line to carry water from the White  
20 River to the filters and purification plants of the city, which  
21 easement shall include all rights and privileges now enjoyed  
22 by the city under a revokable license to maintain such pipe  
23 line across such lands of the United States.

1        SEC. 3. The tract of land authorized to be transferred  
2 by the first section of this Act shall be used by the grantee  
3 for purposes of a public park and recreational site or golf  
4 course or for similar and related purposes. If the grantee  
5 shall fail or cease to use such tract for such purposes, or  
6 shall alienate or attempt to alienate such lands, title thereto  
7 shall revert to the United States.

81ST CONGRESS  
1ST SESSION

**H. R. 1242**

[Report No. 632]

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**A BILL**

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

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By Mr. MILLER of Nebraska

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JANUARY 10, 1949

Referred to the Committee on Agriculture

MAY 19, 1949

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed





for losses and damages inflicted on Swiss territory during World War II by United States armed forces in violation of neutral rights, and authorizing appropriations therefor.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. LODGE. Mr. President, I now move that all after the enacting clause of the House bill be stricken out, and that the language of Senate bill 612, as proposed to be amended by the committee, be substituted therefor.

The motion was agreed to.

The PRESIDING OFFICER. Now that the House bill has been amended by inserting the language of the Senate bill as proposed to be amended by the committee, if there be no further amendment to be proposed, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 602 will be indefinitely postponed.

Mr. McCARRAN. Mr. President, I ask unanimous consent that the Senate proceed to the call of the calendar of bills to which there is no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. The Senator from Nevada has requested that the Senate proceed to the call of the calendar of bills to which there is no objection. Does the Senator mean the bills on the calendar in order; or just what else does he propose to do?

The PRESIDING OFFICER. The Chair understood that the request was that the Senate proceed to the call of the calendar, to take up the bills on the calendar in order; and if objection is made to a bill it will be passed over, and the Senate will proceed to the next measure on the calendar.

Mr. MORSE. I thought that was the business with which we were engaged.

#### BILLS PASSED OVER

The PRESIDING OFFICER. The clerk will state the next measure on the calendar.

The bill (S. 45) for the relief of the owners and operators of certain gold mines which were closed or the operations of which were curtailed by War Production Board Limitation Order L-208 was announced as next in order.

Mr. WILLIAMS. Let the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

The bill (S. 11) to broaden the cooperative extension system as established in the act of May 8, 1914, and acts supplemental thereto, by providing for cooperative extension work between colleges receiving the benefits of this act

and the acts of July 2, 1862, and August 30, 1890, and other qualified colleges, universities, and research agencies, and the United States Department of Labor, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. MORSE. Mr. President, I do not see the Senator from Missouri present. Although this is my bill, and I should like to see it passed, I know he wants to object.

Mr. DONNELL. I very much appreciate the courtesy of the Senator from Oregon. I was momentarily at the desk. I object.

The PRESIDING OFFICER. Objection is heard.

#### TRANSFER OF LAND IN ROBINSON REMOUNT STATION

The Senate proceeded to consider the bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson remount station to the city of Crawford, Nebr., and for other purposes.

Mr. BUTLER. Mr. President, this is a bill which was introduced by myself and my colleague the Senator from Nebraska [Mr. WHERRY]. It has been objected to in the past by the junior Senator from Oregon [Mr. MORSE] because it did not include the phrase that has been included at his suggestion in a number of similar bills heretofore. I therefore propose an amendment to the bill, to conform with the suggestion of the junior Senator from Oregon, on page 2, line 8, at the end of section 1, to strike out the period and insert a semicolon and the following: "Provided, That the city of Crawford shall pay 50 percent of the appraised fair market value of the property as determined by the United States Department of Agriculture."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of Agriculture is hereby authorized to transfer by quitclaim deed to the city of Crawford, Nebr., the following-described tract of land lying within the Robinson Remount Station, Fort Robinson, Dawes County, Nebr.: Beginning at the northwest corner of the tract of land conveyed to the city of Crawford for public-park purposes by the act of Congress approved June 25, 1906 (34 Stat. 461); thence west along the north line of the said station a distance of one thousand one hundred and seventy-five feet; thence south three hundred and six feet; thence south twenty-seven degrees fifty-two minutes east to the westerly boundary line of the present park, the point of intersection being approximately two thousand six hundred and fifteen feet south of the starting point; thence north two thousand six hundred and fifteen feet to point of beginning, containing an area of approximately forty-three and fifty-seven one-hundredths acres: *Provided*, That the city of Crawford shall pay fifty percent of the appraised fair market value of the property as determined by the United States Department of Agriculture.

Sec. 2. Said Secretary is hereby authorized to grant to the city of Crawford, Nebr., a

permanent easement across the lands of the United States comprising the Robinson Remount Station, Fort Robinson, Dawes County, Nebr., for a pipe line to carry water from the White River to the filters and purification plants of the city, which easement shall include all rights and privileges now enjoyed by the city under a revokable license to maintain such pipe line across such lands of the United States.

Sec. 3. The tract of land authorized to be transferred by the first section of this act shall be used by the grantee for purposes of a public park and recreational site or golf course or for similar and related purposes. If the grantee shall fail or cease to use such tract for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

#### BILLS PASSED OVER

The bill (S. 249) to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, was announced as next in order.

Mr. McCARRAN. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, was announced as next in order.

Mr. LANGER. I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (H. R. 1211) to extend the authority of the President under section 150 of the Tariff Act of 1930, as amended, and for other purposes, was announced as next in order.

Mr. WILLIAMS. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 498) to increase rates of compensation of the heads and assistant heads of executive departments and independent agencies was announced as next in order.

Mr. HENDRICKSON. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### PROCEDURE ON JOINT RESOLUTIONS PROPOSING CONSTITUTIONAL AMENDMENTS

The joint resolution (S. J. Res. 25) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. McCARRAN. Over.

The PRESIDING OFFICER. Objection is heard.

Mr. McCARRAN. Mr. President, again I call the attention of the Senate as I did on former calls of the calendar, to the joint resolution proposing constitutional amendments. It is not at all fair that a Senator should be required to rise and object to these resolutions when they come up on call of the calendar. They are of vital importance. They require a two-thirds vote of both Houses, and they must be submitted to the States for approval. It seems to me

there should be a rule or an understanding that when a resolution is on the calendar calling for a constitutional amendment it should automatically go over, to be taken up on some special occasion.

The PRESIDING OFFICER. On objection, the joint resolution will be passed over.

BILLS PASSED OVER

The bill (S. 1124) to provide for the appointment and compensation of counsel to impoverished defendants in criminal cases in the United States District Court for the District of Columbia, was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (S. 734) to provide for the appointment and compensation of counsel for impoverished dependents in certain criminal cases in the United States district courts, was announced as next in order.

Mr. RUSSELL. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (H. R. 2660) to prohibit the parking of vehicles upon any property owned by the United States for postal purposes, was announced as next in order.

Mr. LANGER. I object.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (H. R. 1878) for the relief of Ben Luke Pond, Shao Hung Pond, and David Yet Wei Pond, was announced as next in order.

Mr. LANGER. On behalf of the Senator from Kansas [Mr. SCHOEPPEL], I object.

The PRESIDING OFFICER. Objection is heard and the bill will be passed over.

The bill (S. 528) to amend the Contract Settlement Act of 1944 so as to authorize the payment of fair compensation to persons contracting to deliver certain strategic or critical minerals or metals in cases of failure to recover reasonable costs, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LANGER. I make the same objection, in behalf of the Senator from Kansas [Mr. SCHOEPPEL].

The PRESIDING OFFICER. On objection, the bill will be passed over.

The bill (S. 988) to extend the benefits of section 1 (c) of the Civil Service Retirement Act of May 29, 1930, as amended, to employees who were involuntarily separated during the period from July 1, 1945, to July 1, 1947, after having rendered 25 years of service but prior to attainment of age 55, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WILLIAMS. Over.

Mr. JOHNSTON of South Carolina. Mr. President, if the Senator from Dela-

ware will indulge me for a moment, I should like to state that the bill will entail very little if any cost. It relates to the annuities of persons under the age of 60. It is applicable to persons who lost their positions not by reason of any misconduct but because of lack of employment opportunity. I hope the Senator will not object to the bill, for there is very little if any cost entailed in it. It is designed to help persons who have been thrown out of employment by the Government.

Mr. WILLIAMS. Let the bill go over.

The PRESIDING OFFICER. Objection is heard.

The bill (S. 1359) to repeal the provisions of the Alaskan Railroad Retirement Act of June 29, 1936, as amended, and sections 91 to 107 of the Canal Zone Code and to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to officers and employees to whom such provisions are applicable, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LANGER. I object.

The PRESIDING OFFICER. Objection is heard.

The bill (S. 1527) to provide for home rule and reorganization in the District of Columbia was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HENDRICKSON. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

PECOS RIVER COMPACT

The bill (S. 276) to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ANDERSON. Mr. President, Senators are aware of the fact that there has been some objection to this bill in the past, on the part of the senior Senator from Texas [Mr. CONNALLY]. I am happy to say he assures me that, if he were here, he would not object, but he does feel that the Pecos River compact should be considered first.

To show my good faith, I ask unanimous consent that the Senate proceed now to the consideration of Calendar 400, House bill 3334, to grant the consent of the United States to the Pecos River compact.

The PRESIDING OFFICER. Is there objection to the present consideration of the House bill?

There being no objection, the bill (H. R. 3334) was considered, ordered to a third reading, read the third time, and passed.

On motion of Mr. ANDERSON, the title was amended so as to read: "An act to grant the consent of the Congress to the Pecos River compact."

The PRESIDING OFFICER. Without objection, Senate bill 1309, a companion

bill to House bill 3334, is indefinitely postponed.

REHABILITATION OF FORT SUMNER IRRIGATION DISTRICT, NEW MEXICO

The bill (S. 276) to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc., That, for the purpose of providing water for the irrigation of approximately 6,500 acres of arid lands on the Pecos River in New Mexico, the Secretary of the Interior is hereby authorized to rehabilitate, operate, and maintain in accordance with the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), the irrigation system of the Fort Sumner irrigation district in New Mexico and to construct all necessary works incidental thereto: Provided, That the project shall not be initiated until contracts satisfactory to the Secretary of the Interior shall have been executed with—*

*(a) an irrigation or conservancy district, satisfactory in form and powers to the Secretary and embracing the lands of the project as determined by him, obligating the district, among other things, (i) to repay to the United States without interest the cost of rehabilitating and constructing the project, the terms to be such as will secure repayment as rapidly as, in the judgment of the Secretary, the district can reasonably be expected to make repayment and, in any event, within the useful life of the project; (ii) to pay for or otherwise provide adequate operation and maintenance, including replacements, of the project works during the period of the contract; and (iii) to furnish the Secretary with such control over and access to project works which are owned by or within the control of the district as he may require in order to safeguard the investment of the United States in the project; and*

*(b) the holder or holders of at least 90 percent of the outstanding general obligation bonds of the Fort Sumner irrigation district providing for such refinancing or cancellation of those bonds and scheduling of payments of principal and interest called for thereby as the Secretary believes necessary in order to insure fulfillment of the obligations required under (a) above.*

BILLS AND CONCURRENT RESOLUTION PASSED OVER

The bill (S. 1008) to provide a 2-year moratorium with respect to the application of certain antitrust laws to individual good-faith delivered-price systems and freight-absorption practices, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. LANGER. I object.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2023) an act to regulate oleomargarine, to repeal certain taxes relating to oleomargarine and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (S. 878) to provide certain benefits for annuitants who retired under the Civil Service Retirement Act of May





agents or employees, from any further claim by such claimant arising out of the same incident.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBINSON REMOUNT STATION, CRAWFORD, NEBR.

The Clerk called the bill (H. R. 1242) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes.

There being no objection, the Clerk read the title of the bill.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that a similar bill (S. 314) authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebr., and for other purposes, be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the Secretary of Agriculture is hereby authorized to transfer by quitclaim deed to the city of Crawford, Nebr., the following-described tract of land lying within the Robinson Remount Station, Fort Robinson, Dawes County, Nebr.: Beginning at the northwest corner of the tract of land conveyed to the city of Crawford for public-park purposes by the act of Congress approved June 25, 1906 (34 Stat. 461); thence west along the north line of the said station a distance of one thousand one hundred and seventy-five feet; thence south three hundred and six feet; thence south twenty-seven degrees fifty-two minutes east to the westerly boundary line of the present park, the point of intersection being approximately two thousand six hundred and fifteen feet south of the starting point; thence north two thousand six hundred and fifteen feet to point of beginning, containing an area of approximately forty-three and fifty-seven one-hundredths acres: *Provided*, That the city of Crawford shall pay 50 percent of the appraised fair market value of the property as determined by the United States Department of Agriculture.

SEC. 2. Said secretary is hereby authorized to grant to the city of Crawford, Nebr., a permanent easement across the lands of the United States comprising the Robinson Remount Station, Fort Robinson, Dawes County, Nebr., for a pipe line to carry water from the White River to the filters and purification plants of the city, which easement shall include all rights and privileges now enjoyed by the city under a revocable license to maintain such pipe line across such lands of the United States.

SEC. 3. The tract of land authorized to be transferred by the first section of this act shall be used by the grantee for purposes of a public park and recreational site or golf course or for similar and related purposes. If the grantee shall fail or cease to use such tract for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 1242) was laid on the table.

A motion to reconsider was laid on the table.

#### CITRUS BLACKFLY, WHITE-FRINGED BEETLE, AND THE HALL SCALE

The Clerk called the bill (H. R. 4263) to amend section 102 (a) of the Department of Agriculture Organic Act of 1944 to authorize the Secretary of Agriculture to carry out operations to combat the citrus blackfly, white-fringed beetle, and the Hall scale.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 102 (a) of the Department of Agriculture Organic Act of 1944 (act of September 21, 1944, 58 Stat. 735; 7 U. S. C. 147a (a)) be amended by deleting the word "and" immediately following the word "borer"; by adding a comma and the words "citrus blackfly, white-fringed beetle, and Hall scale" between the word "weevil" and the immediately following colon; and by adding the words "citrus blackfly" immediately following the comma after the word "fruitflies" in the proviso.

Mr. COOLEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Page 1, line 8, after the word "beetle", insert the words "wheat-stem sawfly, oriental fruitfly."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RETIREMENT REFUNDS

The Clerk called the bill (H. R. 2020) to enable certain former officers or employees of the United States separated from the service subsequent to January 3, 1942, to elect to forfeit their rights to civil-service retirement annuities and to obtain in lieu thereof returns of their contributions with interest.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that an identical Senate bill, S. 1229, be substituted for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the last paragraph of section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting before the period at the end thereof a colon and the following: "Provided, That any such officer or employee who has completed less than 20 years' civilian service may elect to forfeit his right to such annuity and elect to receive in lieu thereof the amount credited to his individual account together with interest compounded on December 31 of each year at the rate of 4 percent to the date of his separation or December 31, 1947, whichever may be the earlier, and at the rate of 3 percent for any period thereafter before April 1, 1948: Provided further, That if the separation of such officer or employee was involuntary, not by removal for cause on charges of misconduct or delinquency, the total amount of deductions, with such interest, shall be returned."

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 2020) was laid on the table.

A motion to reconsider was laid on the table.

#### AMENDMENT TO AGRICULTURAL ACT OF 1948 WITH RESPECT TO MARYLAND AND CIGAR-LEAF TYPES OF TOBACCO

The Clerk called the bill (S. 715) to amend the Agricultural Act of 1948.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, this would amend the act. What are we going to do?

Mr. COOLEY. Mr. Speaker, a similar bill has already passed providing for an extension of the support prices on tobacco. There is a statement in the report which reads as follows:

The extension of the date from June 30, 1950, to September 30, 1950, is necessary if the support prices for the 1949 crops of Maryland and cigar-leaf types of tobacco are to be available during the entire marketing season. The marketing season for other kinds of tobacco will have ended by June 30. The extension of the price-support authority under this bill until September 30, 1950, will provide for Maryland and cigar-leaf types of tobacco the same treatment as that accorded to other kinds of tobacco.

Mr. RICH. Mr. Speaker, we are supporting the prices on various commodities—now its tobacco. Just how much of a support price will this give to the tobacco growers over and above what the legislation now on the statute books calls for?

Mr. COOLEY. It does not change the support price at all. Maryland tobacco is marketed during a different season and a longer season than other types of tobacco. Most tobacco markets close by June 30th, but the Maryland market is a little different.

Mr. RICH. Are we changing the rates?

Mr. COOLEY. No; it does not change anything except the date "June 30th" is changed to "September 30, 1950."

Mr. RICH. It is not going to cost the Government anything to do that unless some of the tobacco is held over, then they get the subsidy later on?

Mr. COOLEY. Not a subsidy. In other words, if the tobacco could all be marketed by June 30 there would be no necessity for this bill, but since a large part of the crop is marketed after June 30 it would not be fair to have a support price for one tobacco as of one date and another for another tobacco.

Mr. RICH. What is the support price?

Mr. COOLEY. The gentleman from Maryland [Mr. SASSCER] can advise what it is on Maryland tobacco. I do not know what it is.

Mr. SASSCER. I may say to the gentleman from Pennsylvania it is around 43 or 44 cents. Our market is considerably above the support price. As suggested a moment ago, this bill does not change the base or the rate. As will be recalled, last year in the extension bill, the Hope-Aiken bill, there was a consolidation in the conference report and it is necessary to pass this legislation because our crop is unusual. It is harvested in 1 year, then it is hung up in barns and marketed the next year. The southern crops are marketed in the same

year as harvested. All this does is to extend the marketing period of 3 months. Under existing law it ends on June 1 unless raised in that year. This extends it 3 months.

Mr. RICH. If you are marketing the tobacco and getting more than the support price, what is the use of passing this law?

Mr. SASSCER. It helps hold the price up.

Mr. RICH. In other words, the support price has a tendency to keep prices up?

Mr. SASSCER. That is it.

Mr. RICH. Mr. Speaker, the President said last year that the Democrats helped raise the price of farmers' commodities, we helped raise the price of labor. In other words that the Democrats raised the price of labor and helped the farmer, but the Republicans were responsible for high prices. Did you ever hear of such a ridiculous statement? Now, I am a Republican and I want to get the prices down, and I do not think that you ought to do this. If you are not gaining anything by it, then let the prices come down so that the public will get some benefit. We, as Republicans, ought to object to this legislation, and I think we ought to do it right now.

Mr. SASSCER. Mr. Speaker, if the gentleman will yield, probably I have not made myself clear. This does not change the existing law at all. Under the present law crops raised in 1950 get this support price under the so-called Aiken bill. Under the present law crops raised in 1949—we market ours a year late; this applies to this year's crop—have the support price through June 1. June 1 was arbitrarily taken because all the crops are normally marketed by that time. I understand there are about four places, Wisconsin, Minnesota, one other northern State, and Maryland, whose market is not over by June 1. Our market is running now, and if this extension is not granted—of course, we are alright for this year—next year the support price would end with only about three-fourths of the market over.

Mr. RICH. Will this cost the Federal Government any money? If it does, I object.

Mr. SASSCER. I would not think so; no, sir.

Mr. COOLEY. Mr. Speaker, if the gentleman will yield, it could not cost the Federal Government any money as long as this tobacco is selling above the support price. It has been selling substantially above the support price and is now selling above the support price. But, the thing about it, and what we are trying to correct, is that under the situation we now have about two-thirds of the farmers would have the benefit of the support price and the other third would be denied the benefit because they were unable to sell their crops before June 30. This bill was very carefully considered in our committee by Republicans and Democrats, and there was a unanimous report.

Mr. RICH. Mr. Speaker, I withdraw my reservation of objection since it will not cost the Government anything.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 1 (a) of title I of the Agricultural Act of 1948 (Public Law 897, 80th Cong.) is amended by inserting, following the date "June 30, 1950," a parenthetical clause reading as follows: "(September 30, 1950, in the case of Maryland and the cigar-leaf types of tobacco)."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### OBSERVANCE OF PATRICK HENRY WEEK

The Clerk called the joint resolution (S. J. Res. 12) authorizing the President to proclaim the week in which June 6, 1949, occurs as Patrick Henry Week in commemoration of the sesquicentennial anniversary of the death of Patrick Henry.

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.*, That the President is authorized and requested to issue a proclamation designating the week in which June 6, 1949, occurs as Patrick Henry Week, inviting the people of the United States to observe such week, and particularly the day, June 6, 1949, as the one hundred fiftieth anniversary of the death of Patrick Henry, in accordance with their religious faith, with appropriate ceremonies which will serve to recall his great contribution to the cause of our national independence and to the establishment of the liberties of the people of the United States.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MEMORIAL DAY FOR BRIG. GEN. CASIMIR PULASKI

The Clerk called the joint resolution (H. J. Res. 241) authorizing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

There being no objection, the Clerk read the joint resolution, as follows:

*Resolved, etc.*, That the President of the United States is authorized and directed to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11 of each year, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

With the following amendment:

Page 1, line 6, strike out "of each year" and insert "1949."

The committee amendment was agreed to.

Mr. COTTON. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. SADLAK] may be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. SADLAK. Mr. Speaker, I want heartily to commend and to congratulate the gentleman from Delaware. We are, all of us, aware that a goodly number of bills was introduced in this session of Congress proclaiming October 11 as General Casimir Pulaski's Memorial Day. Included among this number was also a resolution introduced by me for the same purpose.

It cannot be said that we are slow to recognize the great service that General Pulaski had rendered this country. We are most anxious, in fact, to express our gratitude and to memorialize the deeds of this great man.

It pleases me immensely to see that this legislation, House Joint Resolution 241, introduced by my esteemed colleague from the Diamond State is now before this body. No less delighted am I that the Committee on the Judiciary saw fit to report out this particular measure. In every respect it is a highly desirable situation which I am sure can only result in all around satisfaction.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution authorizing the President of the United States of America to proclaim October 11, 1949, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski."

A motion to reconsider was laid on the table.

#### TO REGULATE AND IMPROVE THE CIVIL SERVICE OF THE UNITED STATES

The Clerk called the bill (H. R. 3826) to amend the act of January 16, 1883, an act to regulate and improve the civil service of the United States.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

#### AMENDMENT OF SECTION 16 OF HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 4000) to amend section 16 of the Hawaiian Organic Act relative to disqualification of legislators.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 16 of the Hawaiian Organic Act is hereby amended to read as follows:

"Sec. 16. Disqualification of legislators: That no member of the legislature shall, during the term for which he is elected, be appointed or elected to any office of the Territory of Hawaii, except as otherwise provided by the Legislature of the Territory of Hawaii."

With the following committee amendments:

Page 1, line 8, after "Territory of", strike out "Hawaii, except as otherwise provided by the Legislature of the Territory of."

Line 9, after "Hawaii", insert a colon and the following: "Provided, That nothing in this act shall prevent a member of the legislature from serving as a delegate to a constitutional convention."





[PUBLIC LAW 100—81ST CONGRESS]

[CHAPTER 196—1ST SESSION]

[S. 314]

AN ACT

Authorizing the transfer of a certain tract of land in the Robinson Remount Station to the city of Crawford, Nebraska, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is hereby authorized to transfer by quitclaim deed to the city of Crawford, Nebraska, the following-described tract of land lying within the Robinson Remount Station, Fort Robinson, Dawes County, Nebraska: Beginning at the northwest corner of the tract of land conveyed to the city of Crawford for public-park purposes by the Act of Congress approved June 25, 1906 (34 Stat. 461); thence west along the north line of the said station a distance of one thousand one hundred and seventy-five feet; thence south three hundred and six feet; thence south twenty-seven degrees fifty-two minutes east to the westerly boundary line of the present park, the point of intersection being approximately two thousand six hundred and fifteen feet south of the starting point; thence north two thousand six hundred and fifteen feet to point of beginning, containing an area of approximately forty-three and fifty-seven one-hundredths acres: Provided, That the city of Crawford shall pay 50 per centum of the appraised fair market value of the property as determined by the United States Department of Agriculture.*

SEC. 2. Said Secretary is hereby authorized to grant to the city of Crawford, Nebraska, a permanent easement across the lands of the United States comprising the Robinson Remount Station, Fort Robinson, Dawes County, Nebraska, for a pipe line to carry water from the White River to the filters and purification plants of the city, which easement shall include all rights and privileges now enjoyed by the city under a revokable license to maintain such pipe line across such lands of the United States.

SEC. 3. The tract of land authorized to be transferred by the first section of this Act shall be used by the grantee for purposes of a public park and recreational site or golf course or for similar and related purposes. If the grantee shall fail or cease to use such tract for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

Approved June 13, 1949.





